

JUN 15 2005

**Merchant & Gould**

An Intellectual Property Law Firm

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-  
gould.com

A Professional Corporation

**Fax Transmission** | June 15, 2005TO: Commissioner for Patents  
Attn: BERNARD LIPMAN  
P.O. Box 1450  
Alexandria, VA 22313-1450

FROM: Mark DiPietro

OUR REF: 14369.8USU1  
TELEPHONE: 612.371.5375

Total pages, including cover letter: 8

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Title of Document Transmitted: RESPONSE UNDER 37 C.F.R. §1.116 and  
DECLARATION OF THOMAS H. QUINNApplicant: THOMAS H. QUINN  
Serial No.: 10/823,398  
Filed: 04/12/2004  
Group Art Unit: 1713  
Our Ref. No.: 14369.8USU1  
Confirmation No. 3234

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I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Darlene M. StackDarlene M. Stack  
SignatureJune 15, 2005  
Date

**JUN 15 2005****RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1713**S/N 10/823,398PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	THOMAS H. QUINN	Examiner:	BERNARD LIPMAN
Serial No.:	10/823,398	Group Art Unit:	1713
Filed:	04/12/2004	Docket No.:	14369.0008USU1
Confirmation No.	3234		
Title:	LOW ODOR, LIGHT COLOR HOT PICK-UP ADHESIVE		

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**RESPONSE UNDER 37 C.F.R. § 1.116**

MAIL STOP: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**REMARKS**

This communication is in response to the Examiner's Action dated 20 April 2005. The Examiner has maintained a rejection under 35 U.S.C. §103 over Horsey et al., U.S. Patent No. 5,128,397. The essence of the Examiner's rejection is that the "consisting essentially" of language does not distinguish the prior art since the presence or absence of polymer makes little impact on the properties of the adhesive. Since this is not the case, particularly in hot pick-up (HPU) adhesives, Applicant respectfully traverses the rejection.

The Examiner has cited Horsey et al. in his rejection. In maintaining the rejection, the Examiner has taken the position that excluding the polymer using the terminology "consisting essentially of" does not resolve patentable issues in the case. The Examiner's position is as follows:

Claims are rejected for reasons of record. Horsey et al teaches the claimed hot-melt adhesives with resin